## LEWIS ROCA LAWYERS

MARC SPITZER

MIKE GLEASON

KRISTIN K. MAYES

Chairman

WILLIAM A. MUNDELL

JEFF HATCH-MILLER

Commissioner

Commissioner

Commissioner

Commissioner

IN THE MATTER OF THE APPLICATION

CERTIFICATE OF CONVENIENCE AND

NECESSITY TO PROVIDE FACILITIES-BASED AND RESOLD LONG DISTANCE

AND FACILITIES-BASED AND RESOLD

SERVICES WITH THE STATE OF ARIZONA)

LOCAL EXCHANGE SERVICES AND

PETITION FOR COMPETITIVE CLASSIFICATION OF PROPOSED

OF CITYNET ARIZONA, LLC FOR A

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Thomas H. Campbell Michael T. Hallam 40 N. Central Avenue Phoenix, Arizona 85004 (602) 262-5723 Arizona Corporation Commission

DOCKETED

BEFORE THE ARIZONA CORPORATION COMMISSION

JAN 1 2 2004

DOCKETED BY

MINITED TO WELL AND CORP POWER CONTROL

Docket No: T-04201A-03-0552

NOTICE OF SUBSTITUTION OF COUNSEL AND REQUEST FOR PROCEDURAL ORDER

Notice is hereby given that Lewis and Roca LLP is substituting in as counsel of record for Citynet Arizona, LLC ("Citynet") in the above-captioned proceedings. Please send all further correspondence and/or pleadings to:

Jeffrey A. Ray Eckert Seamans Cherin & Mellot 2400 Cranberry Square Morgantown, WV 16508-9209 (304) 594-1000



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In addition, Citynet respectfully requests that its witness at the January 29, 2003 hearing, Mr. Martin, be permitted to appear telephonically. Furthermore, Citynet respectfully requests that, if possible, this matter be placed on the February 10, 2004 Open Meeting. If it is possible to meet that deadline, Citynet is willing to waive the 10-day exception period and will arrange for expedited transcripts. Citynet has conferred with Staff, and Staff has indicated that it does not object to these requests.

RESPECTFULLY SUBMITTED this 12th day of January, 2004.

LEWIS AND ROCA LLP

Thomas H. Campbell Michael T. Hallam 40 N. Central Avenue Phoenix, Arizona 85004 (602) 262-5723

ORIGINAL and thirteen (13) copies of the foregoing filed this <u>nethoday</u> of January, 2004, with:

The Arizona Corporation Commission Utilities Division – Docket Control 1200 W. Washington Street Phoenix, Arizona 85007

COPY of the foregoing hand-delivered this day of January, 2004, to:

Philip J. Dion, III, Administrative Law Judge Hearing Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, Arizona 85007



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Maureen Scott, Esq.
Legal Division
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007

Ernest Johnson, Director Utilities Division Arizona Corporation Commission 1200 W. Washington Street Phoenix, Arizona 85007

gayme Williams